

**AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]**

**Adopted and Filed**

**Rule making related to the grain indemnity fund**

The Agriculture and Land Stewardship Department hereby amends Chapter 93, “Grain Indemnity Fund Board—Organization and Operations,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code sections 159.5 and 203D.4.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 203D.5.

*Purpose and Summary*

This rule making rescinds the rule that prohibits the Grain Indemnity Fund Board from instituting the participation fees and assessments for the Grain Indemnity Fund. Per statute, if the fund balance falls below \$3 million, the Board is required to reinstate the fees no later than May 1 and begin collecting the fees on the following July 1. As of March 1, 2023, the Department estimates that outstanding claims will drop the fund balance below \$3 million and the assessment will need to be reinstated by the Board per statute.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 11, 2023, as **ARC 6803C**. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Department on February 27, 2023.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 21—Chapter 8.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on April 26, 2023.

The following rule-making action is adopted:

Rescind and reserve rule **21—93.8(203D)**.

[Filed 3/1/23, effective 4/26/23]

[Published 3/22/23]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/22/23.